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To: **Company:** **Fax Number:** **Tel Number:**
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John P. Sheehan **Art Unit 1742**

From: Lawrence J. McClure, Ph.D.

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Date: January 16, 2007

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MESSAGE:

RE: U.S. Patent Application Serial No.: 10/799,153; Our Ref. 81864.0034

I hereby certify that the following documents:

- ☒ Terminal Disclaimer to Obviate A Double Patenting Rejection in duplicate
- ☒ Statement Concerning Common Ownership Under 35 U.S.C. § 103(c)

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WLA - 081864/000034 - 335287 v1

JAN 16 2007

Patent Application No. 10/799,153

Attorney Docket No. 81864.0034

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Chikara ISHIZAKA, et al.

Serial No: 10/799,153

Confirmation No.: 7908

Filed: March 11, 2004

For: R-T-B SYSTEM RARE EARTH
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Art Unit: 1742

Examiner: John P. Sheehan

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STATEMENT CONCERNING COMMON
OWNERSHIP UNDER 35 U.S.C. § 103(C)Mail Stop Amendment
Commissioner for Patents
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Alexandria, VA 22313-1450

Dear Sir:

In the Office Action dated November 27, 2006, claims 1-7 and 9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application No. 10/799,243 (Ishizaka). The present application and U.S. Patent Application No. 10/799,243 (Ishizaka) were, at the time the invention of the present application was made, either owned by, or subject to an obligation of assignment to TDK Corporation.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,

HOGAN & HARTSON L.L.P.

Date: January 16, 2007

By:

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